

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**  
Alexandria Division

BRIAN D. TAYLOR,

Plaintiff,

v.

EXPERIAN INFORMATION SOLUTIONS,  
INC., TRANS UNION LLC, and VERIZON  
COMMUNICATIONS INC.,

Defendants.

Case No.: 1:21-cv-01354-LMB-IDD

**DEFENDANT VERIZON COMMUNICATIONS INC.'S ANSWER AND  
AFFIRMATIVE DEFENSES TO PLAINTIFF'S COMPLAINT**

Defendant Verizon Communications Inc. ("Verizon"), hereby answers the Complaint ("Complaint") of Plaintiff Brian D. Taylor ("Plaintiff"), responding to the correspondingly numbered paragraphs, as follows.<sup>1</sup> Verizon expressly reserves the right to amend or otherwise modify any and all of the below responses upon completion of its investigation and/or discovery in this matter.

1. Answering Paragraph 1 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied.

2. Answering Paragraph 2 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied.

3. Answering Paragraph 3 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this

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<sup>1</sup> The Complaint's headings are omitted and should further be considered denied.

paragraph are denied. Verizon further denies the allegations in this paragraph to the extent they misstate the law.

4. Answering Paragraph 4 of the Complaint, Verizon denies any wrongdoing in this matter. Verizon further denies the allegations in this paragraph to the extent they misstate the law. Except as expressly stated herein, the remainder of the allegations in this paragraph are further denied.

5. Answering Paragraph 5 of the Complaint, Verizon denies any wrongdoing in this matter. Verizon further denies the allegations in this paragraph to the extent they misstate the law. Except as expressly stated herein, the remainder of the allegations in this paragraph are further denied.

6. Answering Paragraph 6 of the Complaint, Verizon denies any wrongdoing in this matter. Verizon further denies the allegations in this paragraph to the extent they misstate the law. Except as expressly stated herein, the remainder of the allegations in this paragraph are further denied.

7. Answering Paragraph 7 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied. Verizon further denies the allegations in this paragraph to the extent they misstate the law.

8. Answering Paragraph 8 of the Complaint, denied.

9. Answering Paragraph 9 of the Complaint, denied.

10. Answering Paragraph 10 of the Complaint, denied.

11. Answering Paragraph 11 of the Complaint, the allegations in this paragraph improperly call for a legal inclusion. As a further response, Verizon is without sufficient

knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

12. Answering Paragraph 12 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

13. Answering Paragraph 13 of the Complaint, the allegations in this paragraph improperly call for a legal conclusion. As a further response, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

14. Answering Paragraph 14 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

15. Answering Paragraph 15 of the Complaint, the allegations in this paragraph improperly call for a legal inclusion. As a further response, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

16. Answering Paragraph 16 of the Complaint, denied.

17. Answering Paragraph 17 of the Complaint, denied.

18. Answering Paragraph 18 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied. Verizon further denies the allegations in this paragraph to the extent they misstate the law.

19. Answering Paragraph 19 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied. Verizon further denies the allegations in this paragraph to the extent they misstate the law.

20. Answering Paragraph 20 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied. Verizon further denies the allegations in this paragraph to the extent they misstate the law.

21. Answering Paragraph 21 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied. Verizon further denies the allegations in this paragraph to the extent they misstate the law.

22. Answering Paragraph 22 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied. Verizon further denies the allegations in this paragraph to the extent they misstate the law.

23. Answering Paragraph 23 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied. Verizon further denies the allegations in this paragraph to the extent they misstate the law.

24. Answering Paragraph 24 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in

this paragraph are denied. Verizon further denies the allegations in this paragraph to the extent they misstate the law.

25. Answering Paragraph 25 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied. Verizon further denies the allegations in this paragraph to the extent they misstate the law.

26. Answering Paragraph 26 and footnote 1 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied. Verizon further denies the allegations in this paragraph to the extent they misstate the law.

27. Answering Paragraph 27 of the Complaint, denied.

28. Answering Paragraph 28 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

29. Answering Paragraph 29 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

30. Answering Paragraph 30 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

31. Answering Paragraph 31 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

32. Answering Paragraph 32 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

33. Answering Paragraph 33 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

34. Answering Paragraph 34 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

35. Answering Paragraph 35 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

36. Answering Paragraph 36 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

37. Answering Paragraph 37 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein. As a further response, Verizon denies any wrongdoing in this matter.

38. Answering Paragraph 38 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein. As a further response, Verizon denies any wrongdoing in this matter.

39. Answering Paragraph 39 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein. As a further response, Verizon denies any wrongdoing in this matter.

40. Answering Paragraph 40 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein. As a further response, Verizon denies any wrongdoing in this matter.

41. Answering Paragraph 41 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein. As a further response, Verizon denies any wrongdoing in this matter.

42. Answering Paragraph 42 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

43. Answering Paragraph 43 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

44. Answering Paragraph 44 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

45. Answering Paragraph 45 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

46. Answering Paragraph 46 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

47. Answering Paragraph 47 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

48. Answering Paragraph 48 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

49. Answering Paragraph 49 and footnote 2 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

50. Answering Paragraph 50 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

51. Answering Paragraph 51 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

52. Answering Paragraph 52 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

53. Answering Paragraph 53 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

54. Answering Paragraph 54 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

55. Answering Paragraph 55 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

56. Answering Paragraph 56 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

57. Answering Paragraph 57 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

58. Answering Paragraph 58 of the Complaint, denied.

59. Answering Paragraph 59 of the Complaint, denied.

60. Answering Paragraph 60 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on

that basis, denies the allegations therein. As a further response, Verizon denies any wrongdoing in this matter.

61. Answering Paragraph 61 of the Complaint, denied.

62. Answering Paragraph 62 of the Complaint, denied.

63. Answering Paragraph 63 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

64. Answering Paragraph 64 of the Complaint, denied.

65. Answering Paragraph 65 of the Complaint, denied.

66. Answering Paragraph 66 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

67. Answering Paragraph 67 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

68. Answering Paragraph 68 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

69. Answering Paragraph 69 of the Complaint, denied.

70. Answering Paragraph 70 of the Complaint, denied.

71. Answering Paragraph 71 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

72. Answering Paragraph 72 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

73. Answering Paragraph 73 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein. As a further response, Verizon denies any wrongdoing in this matter.

74. Answering Paragraph 74 and subparts (a)-(e) of the Complaint, denied.

75. Answering Paragraph 75 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied.

76. Answering Paragraph 76 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied.

77. Answering Paragraph 77 of the Complaint, Verizon states that there are no specific factual allegations against Verizon in this paragraph, and on that basis, the allegations in this paragraph are denied.

78. Answering Paragraph 78 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

79. Answering Paragraph 79 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

80. Answering Paragraph 80 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

81. Answering Paragraph 81 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

82. Answering Paragraph 82 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

83. Answering Paragraph 83 of the Complaint, denied.

84. Answering Paragraph 84 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

85. Answering Paragraph 85 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

86. Answering Paragraph 86 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

87. Answering Paragraph 87 of the Complaint, denied.

88. Answering Paragraph 88 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

89. Answering Paragraph 89 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

90. Answering Paragraph 90 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

91. Answering Paragraph 91 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

92. Answering Paragraph 92 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

93. Answering Paragraph 93 and footnote 3 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

94. Answering Paragraph 94 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

95. Answering Paragraph 95 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

96. Answering Paragraph 96 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

97. Answering Paragraph 97 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

98. Answering Paragraph 98 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

99. Answering Paragraph 99 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

100. Answering Paragraph 100 of the Complaint, Verizon incorporates its preceding paragraphs if though they were set-forth herein in full.

101. Answering Paragraph 101 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

102. Answering Paragraph 102 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

103. Answering Paragraph 103 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

104. Answering Paragraph 104 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

105. Answering Paragraph 105 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

106. Answering Paragraph 106 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

107. Answering Paragraph 107 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

117.<sup>2</sup> Answering Paragraph 117 of the Complaint, Verizon incorporates its preceding paragraphs if though they were set-forth herein in full.

118. Answering Paragraph 118 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

119. Answering Paragraph 119 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

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<sup>2</sup> The Complaint skips from Paragraph 107 to 117. For ease of reference, Verizon follows the numbering as they appear in the Complaint.

120. Answering Paragraph 120 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

121. Answering Paragraph 121 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

122. Answering Paragraph 122 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

123. Answering Paragraph 123 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

124. Answering Paragraph 124 of the Complaint, Verizon is without sufficient knowledge or information to admit or deny the allegations contained in this paragraph, and on that basis, denies the allegations therein.

125. Answering Paragraph 125 of the Complaint, Verizon incorporates its preceding paragraphs if though they were set-forth herein in full.

126. Answering Paragraph 126 of the Complaint, denied.

127. Answering Paragraph 127 of the Complaint, denied.

128. Answering Paragraph 128 of the Complaint, denied.

129. Answering Paragraph 129 of the Complaint, denied.

130. Answering Paragraph 130 of the Complaint, denied.

131. Answering Paragraph 131 of the Complaint, denied.

132. Answering Paragraph 132 of the Complaint, denied.

133. Answering Paragraph 133 of the Complaint, denied.

134. Answering Paragraph 134 of the Complaint, denied.

135. Answering Paragraph 135 of the Complaint, Verizon incorporates its preceding paragraphs if though they were set-forth herein in full.

136. Answering Paragraph 136 of the Complaint, denied.

137. Answering Paragraph 137 of the Complaint, denied.

138. Answering Paragraph 138 of the Complaint, denied.

139. Answering Paragraph 139 of the Complaint, denied.

140. Answering Paragraph 140 of the Complaint, denied.

141. Answering Paragraph 141 of the Complaint, denied.

142. Answering Paragraph 142 of the Complaint, denied.

143. Answering Paragraph 143 of the Complaint, denied.

144. Answering Paragraph 144 of the Complaint, denied.

145. Answering Paragraph 145 of the Complaint, denied.

146. Answering Paragraph 146 of the Complaint, Verizon incorporates its preceding paragraphs if though they were set-forth herein in full.

147. Answering Paragraph 147 of the Complaint, denied.

148. Answering Paragraph 148 of the Complaint, denied.

149. Answering Paragraph 149 of the Complaint, denied.

150. Answering Paragraph 150 of the Complaint, denied.

Verizon further denies that Plaintiff is entitled to any relief against Verizon in this matter.

## **AFFIRMATIVE DEFENSES**

### **First Affirmative Defense**

1. Verizon asserts that it lacks the requisite contacts with the forum for personal jurisdiction to be exercised over it. Fed. R. Civ. Proc. 12(b)(2).

### **Second Affirmative Defense**

2. Plaintiff has sued the wrong entity in this action.

### **Third Affirmative Defense**

3. Verizon reserves the right to compel contractual arbitration.

### **Fourth Affirmative Defense**

4. Plaintiff fails to state a claim upon which relief can be granted against Verizon.

### **Fifth Affirmative Defense**

5. Plaintiff is barred from obtaining the relief sought in the Complaint by the doctrines of estoppel, waiver, unclean hands, laches, or other equitable doctrines.

### **Sixth Affirmative Defense**

6. Plaintiff's claims are barred in whole or in part because Plaintiff consented to, ratified, or acquiesced in all of the alleged acts or omissions alleged.

### **Seventh Affirmative Defense**

7. Verizon's conduct was privileged or justified.

### **Eighth Affirmative Defense**

8. Plaintiff has waived any and all claims, rights and demands made in the Complaint.

**Ninth Affirmative Defense**

9. Plaintiff's claims may be barred because the acts or omissions of which Plaintiff complains have been approved or mandated, implicitly or expressly, by applicable statutes and regulations.

**Tenth Affirmative Defense**

10. Plaintiff's claims may be barred because Verizon at all times complied in good faith with all applicable statutes and regulations.

**Eleventh Affirmative Defense**

11. Verizon specifically denies that it acted with any willfulness, oppression, fraud, or malice towards Plaintiff.

**Twelfth Affirmative Defense**

12. Any harm alleged in the Complaint can be attributed to several causes, and the damages for this harm, if any, should be apportioned among the various causes according to the contribution of each cause to the harm sustained.

**Thirteenth Affirmative Defense**

13. If Plaintiff suffered or sustained any loss, injury, damage, or detriment, it was directly and proximately caused and contributed to by the breach, conduct, acts, omissions, activities, carelessness, recklessness, negligence, or intentional misconduct of others, and not by Verizon.

**Fourteenth Affirmative Defense**

14. If Plaintiff suffered or sustained any loss, injury, damage, or detriment, it was directly and proximately caused and contributed to by the intervening acts of others, and not by Verizon.

**Fifteenth Affirmative Defense**

15. If Plaintiff prevails against Verizon, Verizon's liability is several and limited to its own actionable segment of fault, if any.

**Sixteenth Affirmative Defense**

16. Any alleged acts or omissions of Verizon that give rise to Plaintiff's claims are the result of innocent mistake and/or bona fide error despite Verizon's implementation and maintenance of reasonable procedures adapted to avoid such errors.

**Seventeenth Affirmative Defense**

17. Plaintiff's claims are barred in whole or in part because Plaintiff has failed to mitigate his alleged damages, if any.

**Eighteenth Affirmative Defense**

18. Verizon specifically gives notice that it intends to rely upon such other defenses as may become available by law, or pursuant to statute, or during any further discovery proceedings of this case, and hereby reserve the right to amend its Answer and assert such defenses.

**WHEREFORE**, Verizon prays for judgment as follows:

1. That Plaintiff takes nothing by reason of the Complaint;
2. For Verizon's costs of suit herein;
3. For attorney's fees to the extent available by law or contract; and
4. For such other and further relief as this Court may deem just and proper.

Dated: March 2, 2022

Respectfully Submitted,

By: /s/ J. Caleb Jones  
J. Caleb Jones, Esq. (VSB# 89301)  
H. Robert Showers, Esq. (VSB# 34799)  
Simms Showers LLP

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